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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,366	01/26/2001	Prasad Dasika	CNA-400	7919
47827	7590	07/29/2005	EXAMINER	
BIRCH, STEWART, KOLASCH & BIRCH LLP PO BOX 747 8110 GATEHOUSE ROAD, STE 500 EAST FALLS CHURCH, VA 22040-0747			NGUYEN, HANH N	
		ART UNIT		PAPER NUMBER
		2662		

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/770,366	DASIKA ET AL.
	Examiner	Art Unit
	Hanh Nguyen	2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on Amendment filed 3/2/05.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 13-22 and 34-44 is/are allowed.
- 6) Claim(s) 1-6,8-12 and 23-33 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>1/17/02</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, 8, 9, 11, 23, 24, 25, 26, 28, 29, 30 and 32 are rejected under 35 USC 103(a) as being unpatentable over Goodman et al. (Pat. 6,636,529 B1) in view of Abbas et al. (Pat. 6,810,046 B2).

In claims 1, 6, 23 and 28, Goodman discloses a communications device ( device 130 with I/F 190, Fig.1) for use in a communications network (SONET/SDH network, Fig.1). See col.7, lines 10-30. The communications device comprising:

a plurality of interface ports (physical I/Fs 400, 410, Ethernet physicals I/F 420, Fig.4), said interface port 420 receiving a first signal ( digital data signals) in a first format ( Ethernet LAN 120, Fig.1). See col.9, lines 50-55 & col.7, lines 7-15. A processor (FPGA 360, Fig.3) coupled to said plurality of interface ports (physical interfaces 340). See col.9, lines 27-35. The processor receiving said first signals (digital data signals), and multiplexing (mux/demux 310, Fig.3) the first signals to generate a multiplexed signal. See col.9, lines 1-5. A framer ( SDH framing 300, fig.3) coupled to the processor ( FPGA 360, fig.3), the framer receives the multiplexed signal (multiplexed signals input from mux 310) placing the multiplexed signal in a second format ( SONET/SDH format) to provide a second signal ( SONET signal) for

transmission on the communications network (SONET/SDH network, Fig.1). See col.9, lines 1-5 & col.10, lines 35-40.

Goodman does not disclose provisioning an overhead byte associated with one of the first signals; placing the provisioned overhead byte and the multiplexed signal and in a second format, wherein the overhead byte is utilized to determine whether a receiver should demultiplex the second signal to the first signal.

Abbas et al. discloses, in fig.1, provisioning an overhead byte associated with one of the first signals (generating overhead data from generating unit 105, combining with input payload data (first signals)); placing the provisioned overhead byte and the multiplexed signal and in a second format (multiplexing the overhead byte and payload data by Adapter unit 110 for converting from electrical to optical by converter 120). See col.9, lines 20-55 & col.10, lines 30-35. Abbas et al. further discloses, in fig.1, that at receiver 40, overhead byte data is interpreted by unit 220 to ensure a receiving unit is connected to a correct corresponding sending unit. This done by checking Trail Trace Identifier value (col.9, lines 33-38 & col.16, lines 35-45) (the overhead byte is utilized to determine whether a receiver should demultiplex the second signal to the first signal). Therefore, it would have been obvious to one ordinary skilled in the art to combine the Abbas et al. with Goodman by generating overhead byte data associated with the first signals in order to determine a correct receiver by determining overhead byte data.

In claims 2 and 24, The limitations of these claims have been addressed in claim 1.

In claims 3 and 25, Goodman et al. discloses said provisioned overhead byte is provisioned to include a transmission frequency ( wavelength, See col.7, lines 45-50 & Fig.2).

In claims 4 and 26, The limitations of these claims have been addressed in claim 1.

In claims 8 and 29, Goodman et al. discloses the first format is gigabit ethernet (gigabits ethernet). See col.1, lines 35-40).

In claims 9, 11, 30 and 32, Goodman discloses the second format is SONET/SDH. (See claim 1, Abstract).

Claims 10, 12, 31 and 33 are rejected under 35 USC 103(a) as being unpatentable over Goodman et al. (Pat. 6,636,529 B1) in view of Abbas et al. , and further in view of Wakim (Pat. 6,477,178 B1).

In claims 10, 12, 31 and 33, Goodman et al. does not disclose the overhead byte is byte J1 in SONET and SDH standard. Wakim discloses a network element ( element 12, fig.1) mapping telecommunication signals having a first format (SONET) into a transport signal having a second format ( SDH) by identifying J1 byte for each signal type in overhead portion. See col. 6, line 60 to col.7, line 5 & col.9, lines 5-10 & col.10, lines 8-25. Therefore, it would have been obvious to one ordinary skill in the art to insert J1 byte in the stuff header of SONET SPEs or SDH transport signals to ensure that desired /sensitive signal is received at a destination.

Claims 5 and 27 are rejected under 35 USC 103(a) as being unpatentable over Goodman et al. (Pat. 6,636,529 B1) in view of Abbas et al..

In claims 5 and 27, Goodman et al. does not disclose overhead byte includes a common language location identifier. It is a well-known skill in the sonet frame that overhead byte comprising user identification. Therefore, it would have been obvious to one ordinary skill in the art to have a location identifier byte in overhead byte of Goodman 's SONET signals to transmit signal to correct destination.

***Allowable Subject Matter***

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In claim 7, the prior art fails to disclose comparing the provisioned overhead byte to a label associated with the communication device; and demultiplexing the multiplexed signals to form the first signal if the provisioned overhead byte matches the path label.

Claims 13, 34 and 44 are allowed over the prior art.

The following is an examiner's statement of reasons for allowance:

In claims 13, 34 and 44, the prior art does not disclose comparing the provisioned overhead byte to a label associated with the communication device; and demultiplexing the multiplexed signals to form the first signal if the provisioned overhead byte matches the path label.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments with respect to claims 1-44 have been considered but claims 1-6, 8-12 and 23-33 are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Donovan et al. (Pat. 6,122,281) discloses Method and Apparatus for Transmitting LAN data over a Synchronous WAN.

Russell et al. (Pat. 6,704,326 B2) discloses Payload mapping in Synchronous networks. Purse (Pat. 6,901,082 B1) discloses Method and Apparatus for communication information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The

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examiner can normally be reached on Monday-Friday from 8AM to 5PM. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HANH NGUYEN  
PRIMARY EXAMINER